

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GARVESTER BRACKEN,)
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Plaintiff,)
)
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v.) No. 4:16-CV-1802 NCC
)
)
STATE OF MISSOURI, et al.,)
)
)
Defendants,)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion for leave to proceed in forma pauperis on appeal and motion for transcripts. Both motions are denied.

When the Court dismissed this action, it certified that an appeal would not be taken in good faith. Therefore, plaintiff may not proceed in forma pauperis unless authorized to do so by the Court of Appeals.

Plaintiff is not entitled to free transcripts unless he has demonstrated "that the appeal is not frivolous (but presents a substantial question)." 28 U.S.C. § 753(f). Plaintiff has neither filed a non-frivolous appeal nor submitted a substantial question to the Court. As a result, the motion is denied.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis on appeal [ECF No. 9] is **DENIED**.

IT IS FURTHER ORDERED that plaintiff's motion for transcripts [ECF No. 10] is **DENIED**.

Dated this 22nd day of March, 2017.

\s\ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE